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THE HON'BLE SRI JUSTICE L.NARASIMHA REDDY

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DATED: 14-09-2005

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WRIT PETITION Nos.20238, 20252 and 20253 of 2005

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WP.No.20238 of 2005

Between:

G.Rami Reddy . . .Petitioner

And

The Special Deputy Collector (Tribal Welfare),

Khammam District, and others . . .Respondents

WP.No.20252 of 2005

Between:

P.Nageswar Rao . . .Petitioner

And

The Special Deputy Collector (Tribal Welfare),

Khammam District, and others . . .Respondents

WP.No.20253 of 2005

Between:

P.Prameela . . .Petitioner

And

The Special Deputy Collector (Tribal Welfare),

Khammam District, and others . . .Respondents

THE HON'BLE SRI JUSTICE L.NARASIMHA REDDY

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WRIT PETITION Nos.20238, 20252 and 20253 of 2005

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COMMON ORDER:

The Special Deputy Collector (Tribal Welfare), Bhadrachalam, had initiated proceedings against the petitioners in these three writ petitions under the provisions of the Andhra Pradesh Scheduled Areas Land Transfer Regulation 1 of 1959 read with 1 of 1970 (for short "the Regulations"). It was alleged that the sale of lands in favour of the petitioners is contrary to the provisions of the Regulations and that the lands deserve to be resumed to the Government or to the vendors. Through orders on different dates, the Special Deputy Collector (Tribal Welfare) directed for resumption of lands purchased by the petitioners. Aggrieved thereby, the petitioners preferred appeals before the Additional Agent to Government and Project Officer, I.T.D.A., Bhadrachalam, Khammam District. They also filed applications for interim orders. Their grievance is that the appellate authority did not pass any orders in the applications for stay and in the meanwhile, they are facing the threat of dispossession.

Heard the learned counsel for the petitioner and the learned Government Pleader for Social Welfare.

The petitioners availed the statutory remedy of appeal against the orders passed by the Special Deputy Collector (Tribal Welfare) directing for resumption of lands from the petitioners. The state of affairs that existed during the pendency of the original proceedings is required to be continued till the appeals are disposed of, except where extraordinary circumstances exist. The

possession of the petitioners over the lands in question was not disputed. If they are dispossessed, even while the appeals are pending, the appeals would become infructuous.

For the foregoing reasons, the writ petitions are disposed of directing that the orders passed by the Special Deputy Collector (Tribal Welfare) against the petitioners herein in the respective cases, shall remain suspended till the appellate authority disposes of the appeals preferred by the petitioners against such orders.

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(L.NARASIMHA REDDY, J)

14th SEPTEMBER, 2005.

Note: furnish c.c. in three days.

B/o

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